

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

GARY GERBER, on behalf of himself and  
others similarly situated,

Plaintiff,

v.

FIRST HORIZON HOME LOANS CORP.,

Defendant.

No. C05-1554

STIPULATION AND ORDER  
ALLOWING DEFENDANT TO FILE  
REPLY BRIEF IN EXCESS OF PAGE  
LIMITATIONS ON DEFENDANT'S  
MOTION TO DISMISS

CONSIDERATION DATE:  
December 9, 2005

**I. STIPULATION**

Plaintiff Gary Gerber ("Gerber") and Defendant First Horizon Home Loans Corp. ("First Horizon") hereby stipulate to and jointly request the entry of an order allowing First Horizon to file a reply brief that is up to 17 pages long in support of First Horizon's Motion to Dismiss Plaintiff's Amended Complaint (the "Dismissal Motion"). The additional pages are necessary to address certain issues raised in Plaintiff's opposition to the Dismissal Motion and do not result in First Horizon submitting combined briefing that exceeds the total page limits for dispositive motions under the Local Rules.

STIPULATION AND ORDER ALLOWING DEFENDANT TO  
FILE REPLY BRIEF IN EXCESS OF PAGE LIMITATIONS ON  
DEFENDANT'S MOTION TO DISMISS - 1  
Case No. C05-1554

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PHONE (206) 447-4400 FAX (206) 447-7900

**II. ORDER**

This matter having come before the Court on the stipulation and joint request of the parties and good cause having been shown,

IT IS ORDERED that First Horizon may submit a reply brief not to exceed 17 pages in support of First Horizon's Dismissal Motion.

DATED this \_\_\_\_\_ day of December, 2005.

\_\_\_\_\_  
Honorable Marsha J. Pechman  
United States District Judge

Presented by:

FOSTER PEPPER & SHEFELMAN PLLC

/s/Tim J. Filer  
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STIPULATION AND ORDER ALLOWING DEFENDANT TO  
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3 Stipulation and Order Approved,  
4 Notice of Presentation Waived:

5 WILLIAMSON & WILLIAMS

6  
7 /s/ Rob Williamson (per telephone authority)  
8 Rob Williamson, WSBA No. 11387  
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